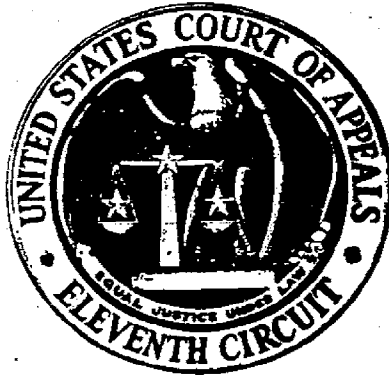


United States Court of Appeals for the Eleventh Circuit



56 Forsyth Street, N.W.
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DATE: 4/13/05

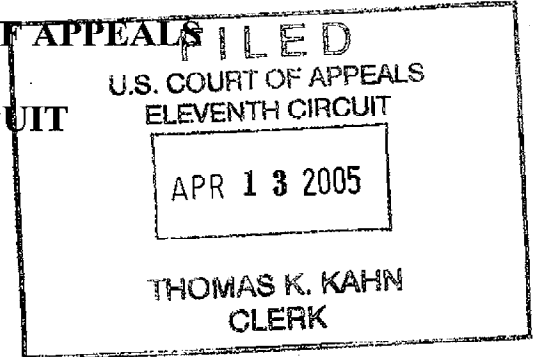
DOCUMENT DESCRIPTION: 05-11880-DD - Beesouth v - McImetro
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IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT



No. 05-11880-DD

BELLSOUTH TELECOMMUNICATIONS, INC.,

Plaintiff-Counter-Defendant-Appellee,

versus

MCIMETRO ACCESS TRANSMISSION SERVICES, LLC,
a Delaware Limited Liability Company,

Defendant-Counter-Claimant-Appellant,

NUVOX COMMUNICATIONS, INC.,
a Delaware Corporation,
KMC TELECOM HOLDINGS, INC.,
a Delaware Corporation,
ET AL.,

Defendants-Appellants.

On Appeal from the United States District Court for the
Northern District of Georgia

BEFORE: ANDERSON, BIRCH and PRYOR, Circuit Judges.

BY THE COURT:

Appellant U.S. LEC's motion to stay preliminary injunction is HELD IN
ABEYANCE pending receipt of a response from Appellee. As Appellant U.S.
LEC's certificate of service does not indicate expedited service on Appellee,

Appellee's response will be due within the regular response time provided in Fed.R.App.P. 27(a)(3).

The remaining Appellants' emergency motions to stay the District Court's April 5, 2005, preliminary injunction order pending resolution of this appeal are DENIED.

Appellants' motions for expedited ruling on their motions for stay pending appeal are GRANTED.

Appellants' motions to expedite this appeal are GRANTED. Appellants' briefs and record excerpts will be due within fourteen (14) days of the date of this Order. Appellee's brief will be due within fourteen (14) days of service of Appellants' briefs. Reply briefs, if any, will be due within seven (7) days of service of Appellee's brief.

The Clerk is directed to place this appeal on the next available oral argument calendar.

The motion by Verizon to file as amicus curiae an objection to Appellants' motions for stay pending appeal is DENIED.